

DOCKET NO.: 217567US23DIV

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :

Hugh J. ABERCROMBIE :

SERIAL NO.: NEW APPLICATION :

FILED: HERewith :

FOR: RECOVERY OF NATURAL NANOCLUSTERS AND
THE NANOCLUSTERS ISOLATED THEREBY

PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Prior to examination on the merits, Applicants respectfully request that the following amendments be entered:

IN THE CLAIMS

Please cancel claims 2-64 and add the following new claims:

--65. (New) An isolated naturally occurring nanocluster.

66. (New) The isolated naturally occurring nanocluster of claim 65, wherein the nanocluster is in an aqueous solution.

67. (New) The isolated naturally occurring nanocluster of claim 65, comprising one or more elements selected from the group consisting of Li, Na, K, Rb, Cs, Fr, Be, Mg, Ca, Sr, Ba, Ra, Sc, Y, Ti, Zr, Hf, V, Nb, Ta, Cu, Cr, Mn, Fe, Ni, Zn, Mo, W, Tc, Re, Co, Cd, Hg, B, Al, Ga, In, Tl, Si, Ge, Sn, Pb, As, Sb, Bi, Te, Th, U, C, N, P, O, S, Se, F, Cl, Br, I, At, La,

Ce, Pr, Nd, Pm, Sm, Eu, Gd, Tb, Dy, Ho, Er, Tm, Yb, and Lu, and

one or more other elements.

68. (New) The isolated naturally occurring nanocluster of claim 67, wherein the one or more other elements are selected from the group consisting of Au, Ag and platinum group metals.

69. (New) The isolated naturally occurring nanocluster of claim 65, comprising one or more metals selected from the group consisting of Au, Ag and the platinum group metals.

70. (New) The isolated naturally occurring nanocluster of claim 67, comprising Cu and one or more other metals.

71. (New) The isolated naturally occurring nanocluster of claim 70, wherein the one or more other metals are selected from the group consisting of Au, Ag and the platinum group metals.

72. (New) The isolated naturally occurring nanocluster of claim 67, comprising Cu, Cr, Mn, Fe, Ni, Zn and one or more other metals.

73. (New) The isolated naturally occurring nanocluster of claim 72, wherein the one or more other metals are selected from the group consisting of Au, Ag and platinum group metals.

74. (New) An isolated naturally occurring nanocluster obtained by the method of claim 1.

75. (New) The isolated naturally occurring nanocluster of claim 74, comprising one or more elements selected from the group consisting of Li, Na, K, Rb, Cs, Fr, Be, Mg, Ca, Sr, Ba, Ra, Sc, Y, Ti, Zr, Hf, V, Nb, Ta, Cu, Cr, Mn, Fe, Ni, Zn, Mo, W, Tc, Re, Co, Cd, Hg, B, Al, Ga, In, Tl, Si, Ge, Sn, Pb, As, Sb, Bi, Te, Th, U, C,

N, P, O, S, Se, F, Cl, Br, I, At, La, Ce, Pr, Nd, Pm, Sm, Eu, Gd, Tb, Dy, Ho, Er,
Tm, Yb, and Lu, and

one or more other elements.

76. (New) The isolated naturally occurring nanocluster of claim 75, wherein the one or more other elements are selected from the group consisting of Au, Ag and platinum group metals.

77. (New) The isolated naturally occurring nanocluster of claim 74, comprising one or more metals selected from the group consisting of Au, Ag and the platinum group metals.

78. (New) The isolated naturally occurring nanocluster of claim 75, comprising Cu and one or more other metals.

79. (New) The isolated naturally occurring nanocluster of claim 78, wherein the one or more other metals are selected from the group consisting of Au, Ag and the platinum group metals.

80. (New) The isolated naturally occurring nanocluster of claim 75, comprising Cu, Cr, Mn, Fe, Ni, Zn and one or more other metals.

81. (New) The isolated naturally occurring nanocluster of claim 80, wherein the one or more other metals are selected from the group consisting of Au, Ag and platinum group metals.--

SUPPORT FOR AMENDMENT

Claims 2-64 have been cancelled and new product claims 65-81 have been added. These claims are supported by the specification as filed. No new matter has been added by these amendments.

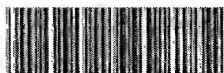
Applicant respectfully submits that the above-identified application is now ready for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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IN THE CLAIMS

Please cancel claims 2-64 and add the following new claims:

--65. (New)

66. (New)

67. (New)

68. (New)

69. (New)

70. (New)

71. (New)

72. (New)

73. (New)

74. (New)

75. (New)

76. (New)

77. (New)

78. (New)

79. (New)

80. (New)

81. (New)--